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# NASA Procedural Requirements

**COMPLIANCE IS MANDATORY****NPR 2092.1B**Effective Date: August 22,  
2014Expiration Date: August 22,  
2019[Printable Format \(PDF\)](#)

Request Notification of Change

 (NASA Only)

## **Subject: Distribution of Royalties and Other Payments Received by NASA from the Licensing or Assignment of Inventions**

**Responsible Office: Office of the General Counsel**[| TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [ALL](#)

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## **Preface**

### **P.1 Purpose**

When NASA receives royalties or other payments as a result of the licensing or assignment of inventions, NASA must distribute such royalties and other payments in accordance with law. This NPR establishes the responsibilities and procedures for such distributions.

### **P.2 Applicability**

- a. This NPR is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers, all of which are considered to be a laboratory or laboratories as defined in 15 U.S.C. § 3710a(d)(2) .
- b. This NPR applies to royalties or other payments received by NASA from the licensing or assignment of an invention owned in whole or in part by NASA. Such invention may be made by (1) a NASA employee, (2) an employee of another U.S. Government agency when such invention is assigned to NASA, (3) an individual directly assigning his or her interest in the invention to the U.S. Government, and (4) an employee of a NASA contractor or grantee where the title to such invention has been assigned to the contractor or grantee from the employee and subsequently to NASA by the contractor or grantee or has vested in NASA by operation of law.
- c. This NPR also applies to royalties or other payments received by NASA from the licensing or assignment of an invention made by an employee, contractor, or grantee of another U.S. Government agency and of which NASA has custody and administration, pursuant to 35 U.S.C. 207, unless otherwise agreed between NASA and the transferring agency.
- d. The term "royalties and other payments" means any money, including running royalties, alternate or periodic minimum royalties, and licensing or assignment fees, other than payments of patent costs and costs for maintaining a patent, received by NASA for granting a license or assignment in an invention.

### **P.3 Authority**

- a. Distribution of royalties received by Federal agencies, 15 U.S.C. § 3710c.
- b. Property rights in inventions, 51 U.S.C. § 20135.
- c. Patent Rights in Inventions Made with Federal Assistance, 35 U.S.C. § 200 et seq.

### **P.4 Applicable Documents and Forms**

- a. NPD 2090.6 Authority to Enter into License Agreements and Implementation of Licensing Authority

- b. NPD 2091.1, Inventions Made by Government Employees
- c. NPD 2092.1, Royalties and Other Payments Received by NASA from the Licensing or Assignment of Inventions.

## **P.5 Measurement/Verification**

Compliance with the requirements contained in this NPR is verified through the actions and approvals performed by the responsible parties identified in Chapter 1.

## **P.6 Cancellation**

NPR 2092.1A, Distribution of Royalties Received by NASA from the Licensing or Assignment of Inventions, dated August 7, 2003.

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